

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HAROLD E. E.,
Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

Case No. 24-10461

Curtis Ivy, Jr.
United States Magistrate Judge

EQUAL ACCESS TO JUSTICE ACT

Plaintiff initiated this lawsuit on February 23, 2024, seeking judicial review of Defendant's determination that he is not entitled to social security disability benefits. On May 23, 2024, this Court entered a Judgment remanding the matter to the Commissioner. (ECF No. 12). Plaintiff subsequently filed a motion for attorney's fees under the Equal Access to Justice Act ("EAJA"). (ECF No. 13). Plaintiff's counsel represents that counsel for the Commissioner does not oppose the motion or the amount requested. (ECF No. 13-7).

In the motion, Plaintiff asks the Court to award Plaintiff's counsel fees and expenses totaling \$921.50 under the EAJA, 28 U.S.C. § 2412. Plaintiff indicates that any payment may be subject to offset by any preexisting debt Plaintiff may owe to the government.

As there is no opposition to Plaintiff's request for attorney's fees, and because the Court finds that an award is proper under the EAJA, it is granting Plaintiff's request. Any award must be offset by any debt Plaintiff owes to the government. *See Astrue v. Ratliff*, 560 U.S. 586 (2010). Therefore, Plaintiff's counsel is awarded fees and expenses in the amount of \$921.50 absent any debt owed by Plaintiff to the government.

IT IS SO ORDERED.

Date: September 16, 2024

s/Curtis Ivy, Jr.

Curtis Ivy, Jr.

United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System or by First Class U.S. mail on September 16, 2024.

s/Sara Krause

Case Manager

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